



OFFICE OF
INSURANCE COMMISSIONER

In the Matter of)	No. D06-295
)	
NATIONWIDE LIFE AND ANNUITY)	
INSURANCE COMPANY,)	CONSENT ORDER
)	IMPOSING A FINE
An Authorized Insurer)	
_____)	

Findings of Fact:

1. Nationwide Life and Annuity Insurance Company ("NLAIC") is authorized to conduct insurance business in Washington State. It issues life and disability insurance.
2. NLAIC completed filing its calendar year 2004 Annual Statement and supplements with the Office of the Insurance Commissioner ("OIC") on April 22, 2005. NLAIC did not send the signature pages nor did the documents contain legally-binding digital signatures.
3. NLAIC failed to file calendar year 2004 April Supplemental filings with the OIC.
4. NLAIC electronically filed its calendar year 2005 Annual Statement and supplements with the OIC on March 2, 2006. NLIC did not send the signature pages nor did the documents contain legally-binding digital signatures.
5. NLAIC failed to file calendar year 2005 April Supplemental filings with the OIC.

Conclusions of Law:

1. NLAIC's failure to timely file its calendar year 2004 Annual Statement and supplements, its 2004 April Supplemental filings, and the signature pages for its calendar year 2005 Annual Statement and supplements and 2005 April Supplemental filing constitutes four violations of RCW 48.05.250.
2. RCW 48.05.185 authorizes the Commissioner to impose a fine in lieu of or in addition to the suspension or revocation of an insurer's certificate of authority.

Consent to Order:

NLAIC consents to the following, in order to resolve this matter without further legal or administrative proceedings. The Insurance Commissioner consents to resolve this matter in consideration of the insurer's payment of a fine as set forth below.



1. NLAIC consents to the entry of the foregoing Findings of Fact and Conclusions of Law, and acknowledges its duty to comply fully with all applicable laws and regulations of the State of Washington. It waives further administrative or legal challenge to the actions taken by the Insurance Commissioner, related to the subject matter of this Order.
2. Within thirty days of the entry of this Order, NLAIC will pay to the Insurance Commissioner a fine in the amount of \$3,250 (three thousand two hundred fifty dollars).
3. Failure to pay the fine in full within thirty days of the entry of this order will constitute grounds for revocation of the certificate of authority held by NLAIC in Washington State. It will also result in a civil action being brought by the Attorney General on behalf of the Insurance Commissioner, to recover the fine.

Executed this 26th day of October, 2006.

NATIONWIDE LIFE AND ANNUITY INSURANCE COMPANY

By: 

Printed Name: James D. Benson

Printed Corporate Title: VP - Controller

Pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner orders as follows:

Order:

1. Nationwide Life and Annuity Insurance Company is ordered to pay, within thirty days of the entry of this order, a fine in the amount of \$3,250 (three thousand two hundred fifty dollars).
2. Failure to pay the fine timely and in full will constitute grounds for revocation of the certificate of authority held by the insurer in Washington State. It will also result in a civil action being brought by the Attorney General on behalf of the Insurance Commissioner, to recover the fine.

Executed this 27th day of October, 2006

MIKE KREIDLER
Insurance Commissioner

By: 

Marcia G. Stickler
Legal Affairs Division